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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/639,740	08/16/2000	Alyssa Dver	1113-201	3381

7590 06/16/2004  
Lieberman & Brandsdorfer LLC  
12221 McDonald Chapel Drive  
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EXAMINER	
KALINOWSKI, ALEXANDER G	
ART UNIT	PAPER NUMBER

3626

DATE MAILED: 06/16/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

# Office Action Summary

Application No.

09/639,740

Applicant(s)

DVER, ALYSSA

Examiner

Alexander Kalinowski

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kllw

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

## Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

## Status

- 1) ☒ Responsive to communication(s) filed on 30 March 2004.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

## Disposition of Claims

- 4) ☒ Claim(s) 86-99 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 86-99 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

## Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

## Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
  - ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

## Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_

### **DETAILED ACTION**

1. Claims 86-99 are presented for examination. Applicant filed an amendment on 3/30/2004, canceling claims 72-85 and adding new claims 86-99. New grounds of rejection are established for claims 86-99. Since the new grounds of rejection were necessitated by Applicant's amendment, the grounds of rejection of claims 86-99 are a final rejection of the claims.

#### ***Claim Rejections - 35 USC § 103***

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. Claims 86-99 are rejected under 35 U.S.C. 103(a) as being unpatentable over Waits et al., Pat. No. 5,721,831 (hereinafter Waits) in view of Gisby, Pat. No. 6,118,865.

As to claim 86, Waits discloses An article comprising:  
a computer readable signal bearing medium (i.e. graphical user interface ...  
bank's customer database (software))(col. 6, lines 17-19);  
a lead having associated contact information stored in said medium, wherein said  
lead is a customer targeted for a marketing campaign (i.e. Mailing list)(col. 4,  
lines 38-46);

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a plurality of stations in said medium, wherein each of said stations defines a status of said lead in said marketing campaign (i.e. strategy ... campaign ... mailing list ... tracking ... analysis)(col. 4 and col. 5);

means in said medium for applying rules of said marketing campaign to said lead, wherein a station parameter is synonymous with a rule of said marketing campaign (Fig. 2, Fig. 4, Fig. 12) ;

means in said medium for monitoring a lead within an assigned station (i.e. Tracking ... analysis, col. 5, lines 48-67) and

means in said medium for removing said lead from said medium at a conclusion of said marketing campaign (i.e. editing segment)(Fig. 21-23).

Waits does not explicitly disclose

means in the medium for moving a lead to a subsequent station, wherein said subsequent station is determined in response to a reaction of said lead in a prior station

However, Gisby discloses means in the medium for moving a lead to a subsequent station, wherein said subsequent station is determined in response to a reaction of said lead in a prior station (Fig. 2 and col. 5, lines 23-45). It would have been obvious to one of ordinary art at the time of Applicant's invention to include the aforementioned limitation for the motivation of automatically monitoring and routing marketing calls (i.e. surveys)(col. 2, lines 50-67).

As to claim 87, Waits discloses The article of claim 86, wherein the medium is selected from a group consisting of a recordable data storage

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medium, and a modulated carrier signal (i.e. graphical user interface ... bank's customer database (software))(col. 6, lines 17-19).

As to claim 88, Waits discloses The article of claim 86, where said customer is selected from a group consisting of: a current customer and a prospective customer (col. 3, lines 19-26).

As to claim 89, Waits discloses The article of claim 88, wherein each of said plurality of stations in said medium includes a definition of required actions for an intended sale (Fig. 10-12).

As to claim 90, Waits does not explicitly disclose The article of claim 86, further comprising a station master in said medium for monitoring said lead within said assigned station.

However, Gisby discloses a station master in said medium for monitoring said lead within said assigned station (i.e. agent supervisor)(col. 7, lines 22-32). It would have been obvious to one of ordinary art at the time of Applicant's invention to include the aforementioned limitation for the motivation of automatically monitoring and routing marketing calls (i.e. surveys)(col. 2, lines 50-67).

As to claim 91, Waits does not explicitly disclose The article of claim 90, wherein said means for monitoring of a lead includes managing marketing activity of said lead by a user assigned to said station within an allotted time interval.

However, Gisby discloses wherein said means for monitoring of a lead includes managing marketing activity of said lead by a user assigned to said

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station within an allotted time interval (col. 7, lines 27-42). It would have been obvious to one of ordinary art at the time of Applicant's invention to include the aforementioned limitation for the motivation of automatically monitoring and routing marketing calls (i.e. surveys)(col. 2, lines 50-67).

As to claim 92, Waits does not explicitly disclose the article of claim 86, further comprising an alert in said medium, wherein said alert is a communication to a designated user in response to neglect of said lead in said station.

However, Gisby discloses an alert in said medium, wherein said alert is a communication to a designated user in response to neglect of said lead in said station (col. 7, lines 27-33). It would have been obvious to one of ordinary art at the time of Applicant's invention to include the aforementioned limitation for the motivation of automatically monitoring and routing marketing calls (i.e. surveys)(col. 2, lines 50-67).

As to claim 93, Waits does not explicitly disclose The article of claim 92, wherein said designated user is a station master adapted to monitor marketing activity associated with said lead in said station .

However, Gisby discloses wherein said designated user is a station master adapted to monitor marketing activity associated with said lead in said station (i.e. agent supervisor)(col. 7, lines 22-32). It would have been obvious to one of ordinary art at the time of Applicant's invention to include the aforementioned limitation for the motivation of automatically monitoring and routing marketing calls (i.e. surveys)(col. 2, lines 50-67).

As to claim 94, Waits discloses The article of claim 86, further comprising means in said medium for generating a report to analyze progress of said lead through said marketing campaign (i.e. Campaign-Tracking-report)(col. 5, lines 64-67).

As to claim 95, Waits discloses The article of claim 94, further comprising means in said medium for automatically generating said report at a predestined interval (Fig. 10).

As to claim 96, Waits discloses The article of claim 94, further comprising means in said medium for custom defining report parameters based upon a user selecting fields of said database for inclusion in said report (i.e. Campaign-Tracking-report)(col. 5, lines 64-67).

As to claim 97, Waits discloses The article of claim 86, further comprising means in said medium for custom defining a station parameter and applying said station parameter to said rule of said marketing campaign (i.e. Projects ... Segments ... Strategy ... Campaign)(col. 3 and col. 4).

As to claim 98, Waits and Gisby do not explicitly disclose The article of claim 86, further comprising a calendar within said medium for scheduling reminder messages for users of said station within said marketing campaign.

However, the Examiner takes official notice that it was well known in the electronic scheduling arts to provide calendars with reminders to users. The motivation would have been to provide reinforcement for reminding a user to carry out a scheduled task. It would have been obvious to one of ordinary art at

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the time of Applicant's invention to include the aforementioned limitation for the motivation stated above.

As to claim 99, Waits discloses The article of claim 86, wherein said marketing campaign has a goal selected from a group consisting of. sale of a product, sale of a service, and combinations thereof (i.e. "Retain the Most Profitable ... promote summit checking)(Fig. 3 and Fig. 8).

### ***Response to Arguments***

4. Applicant's arguments with respect to claims 86-99 have been considered but are moot in view of the new ground(s) of rejection.

### ***Conclusion***

5. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

a. Pat. No. 5,423,043 discloses a system to associate actions, attributes, objects and devices.

b. Pat. No. 6,574,605 discloses a system for strategic services enterprise workload management.

6. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL.**

See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).



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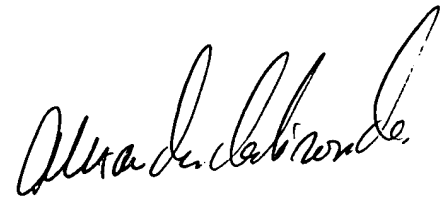
A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Alexander Kalinowski, whose telephone number is (703) 305-2398. The examiner can normally be reached on Monday to Thursday from 9:00 AM to 6:30 PM. In addition, the examiner can be reached on alternate Fridays.

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If any attempt to reach the examiner by telephone is unsuccessful, the examiner's supervisor, Joseph Thomas, can be reached on (703) 305-9588. The fax telephone number for this group is (703) 305-7687 (for official communications including After Final communications labeled "Box AF").

Hand delivered responses should be brought to Crystal Park 5, 2451 Crystal Drive, Arlington, VA, 7th Floor, receptionist.

A handwritten signature in black ink, appearing to read "Alexander Kalinowski". The signature is fluid and cursive, with a large initial "A" and "K".

Alexander Kalinowski

Primary Examiner

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6/13/2004